

**U.S. District Court
Northern District of Texas (Dallas)
CIVIL DOCKET FOR CASE #: 3:17-cv-02569-X**

Equal Employment Opportunity Commission v. Tim Shepherd MD PA
Assigned to: Judge Brantley Starr
Cause: 28:451 Employment Discrimination

Date Filed: 09/20/2017
Jury Demand: Plaintiff
Nature of Suit: 442 Civil Rights: Employment
Jurisdiction: U.S. Government Plaintiff

Plaintiff

Equal Employment Opportunity Commission

represented by **Meaghan Leigh Kuelbs**
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Bar Status: Admitted/In Good Standing

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V.

Defendant

Tim Shepherd MD PA
doing business as
Shepherd Healthcare

represented by **Gerrit M Pronske**
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TERMINATED: 08/31/2018
Bar Status: Admitted/In Good Standing

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TERMINATED: 08/31/2018
Bar Status: Admitted/In Good Standing

Mediator

ADR Provider

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LEAD ATTORNEY
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Bar Status: Admitted/In Good Standing

V.

Objector

Bridges Healthcare PA

represented by **Gerrit M Pronske**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Bar Status: Admitted/In Good Standing

Date Filed	#	Docket Text
09/20/2017	<u>1</u>	COMPLAINT WITH JURY DEMAND against Tim Shepherd MD PA d/b/a Shepherd Healthcare filed by U.S. Equal Employment Opportunity Commission. (Filer fee note– Filed by the USA) Plaintiff will submit summons(es) for issuance. In each Notice of Electronic Filing, the judge assignment is indicated, and a link to the <u>Judges Copy Requirements</u> is provided. The court reminds the filer that any required copy of this and future documents must be delivered to the judge, in the manner prescribed, within three business days of filing. Unless exempted, attorneys who are not admitted to practice in the Northern District of Texas must seek admission promptly. Forms, instructions, and exemption information may be found at www.txnd.uscourts.gov , or by clicking here: <u>Attorney Information – Bar Membership</u> . If admission requirements are not satisfied within 21 days, the clerk will notify the presiding judge. (Attachments: # <u>1</u> Civil Cover Sheet) (Shepard, Meaghan) (Entered: 09/20/2017)
09/20/2017	<u>2</u>	CERTIFICATE OF INTERESTED PERSONS/DISCLOSURE STATEMENT by U.S. Equal Employment Opportunity Commission. (Shepard, Meaghan) (Entered: 09/20/2017)
09/20/2017	<u>3</u>	Request for Clerk to issue Summons filed by U.S. Equal Employment Opportunity Commission. (Shepard, Meaghan) (Entered: 09/20/2017)
09/20/2017	<u>4</u>	New Case Notes: A filing fee has been paid. Pursuant to Misc. Order 6, Plaintiff is provided the Notice of Right to Consent to Proceed Before A U.S. Magistrate Judge (Judge Ramirez). Clerk to provide copy to plaintiff if not received electronically. (ykp) (Entered: 09/20/2017)
09/20/2017	<u>5</u>	Summons Issued as to Tim Shepherd MD PA. (ykp) (Main Document 5 replaced on 9/20/2017) (ykp). (Entered: 09/20/2017)
10/03/2017	<u>6</u>	Court Request for Recusal: Judge Joe A. Fish has recused. Pursuant to the directives in Special Order 3–249, this case is randomly reassigned to Judge Sam A. Lindsay. Future references to the case shall bear the case number: 3:17–cv–2569–L. (ash) (Entered: 10/03/2017)
10/03/2017	<u>7</u>	Case Reassigned to Judge Sam A Lindsay per <u>6</u> Court Request for Recusal. Senior Judge A. Joe Fish no longer assigned to the case. (ctf) (Entered: 10/03/2017)
11/03/2017	<u>8</u>	Unopposed Motion for Extension of Time to File Answer to <i>Plaintiff's Original Complaint</i> filed by Tim Shepherd MD PA (Attachments: # <u>1</u> Proposed Order Proposed Order Granting Extension of Time)Attorney Thomas S Brandon, Jr added to party Tim Shepherd MD PA(pty:dft) (Brandon, Thomas) (Entered: 11/03/2017)
11/06/2017	<u>9</u>	ORDER granting <u>8</u> Motion for Extension of Time to File Answer Tim Shepherd MD PA answer due 12/1/2017. (Ordered by Judge Sam A Lindsay on 11/6/2017) (ndt) (Entered: 11/07/2017)
12/01/2017	<u>10</u>	ANSWER to <u>1</u> Complaint,,, filed by Tim Shepherd MD PA. Unless exempted, attorneys who are not admitted to practice in the Northern District of Texas must seek admission promptly. Forms and Instructions found at www.txnd.uscourts.gov , or by clicking here: <u>Attorney Information – Bar Membership</u> . If admission requirements are not satisfied within 21 days, the clerk will notify the presiding judge. (Brandon, Thomas) (Entered: 12/01/2017)
12/01/2017	<u>11</u>	CERTIFICATE OF INTERESTED PERSONS/DISCLOSURE STATEMENT by Tim Shepherd MD PA. (Brandon, Thomas) (Entered: 12/01/2017)
12/29/2017	<u>12</u>	ORDER REQUIRING ATTORNEY CONFERENCE AND STATUS REPORT: Status Report due by 1/30/2018. (Ordered by Judge Sam A Lindsay on 12/29/2017) (epm) (Entered: 12/29/2017)
01/22/2018	<u>13</u>	Unopposed MOTION to Stay and Extension and Request for Expedited Ruling filed by Equal Employment Opportunity Commission with Brief/Memorandum in Support. Attorney Suzanne M Anderson added to party Equal Employment Opportunity Commission(pty:pla) (Anderson, Suzanne) (Entered: 01/22/2018)

01/23/2018	<u>13</u>	ELECTRONIC ORDER denying <u>12</u> Motion to Stay. As the government shutdown has ended, the court denies as moot the Unopposed Motion for Stay and Extension. (Ordered by Judge Sam A Lindsay on 1/23/2018) (chmb) (Entered: 01/23/2018)
01/29/2018	<u>14</u>	Joint STATUS REPORT filed by Equal Employment Opportunity Commision. (Anderson, Suzanne) (Entered: 01/29/2018)
01/31/2018	<u>15</u>	SCHEDULING ORDER: Trial set for Court's four-week docket beginning 9/3/2019 before Judge Sam A Lindsay. Joinder of Parties due by 6/29/2018. Amended Pleadings due by 6/29/2018. Motions due by 4/15/2019. Discovery due by 4/1/2019. Pretrial Order due by 8/6/2019. Pretrial Materials due by 8/6/2019. Status Report due by 4/30/2018. Pretrial Conference set for 8/29/2019 09:00 AM before Judge Sam A Lindsay. (Ordered by Judge Sam A Lindsay on 1/31/2018) (sss) Modified status report deadline on 4/10/2018 (sss). (Entered: 01/31/2018)
01/31/2018	<u>16</u>	MEDIATION ORDER. The parties are to select or designate a mediator. <u>Alternative Dispute Resolution Summary</u> form provided electronically or by US Mail as appropriate. Deadline for mediation is on or before 10/1/2018. (Ordered by Judge Sam A Lindsay on 1/31/2018) (sss) (Entered: 01/31/2018)
04/30/2018	<u>17</u>	Joint STATUS REPORT of <i>Settlement</i> filed by Equal Employment Opportunity Commision. (Kuelbs, Meaghan) (Entered: 04/30/2018)
06/29/2018	<u>18</u>	Unopposed MOTION to Amend/Correct <u>1</u> Complaint,,, filed by Equal Employment Opportunity Commision (Attachments: # <u>1</u> Amended Complaint, # <u>2</u> Amended Certificate of Interested Persons, # <u>3</u> Proposed Order) (Kuelbs, Meaghan) (Entered: 06/29/2018)
07/02/2018	<u>19</u>	ELECTRONIC ORDER granting <u>18</u> Unopposed Motion to Amend/Correct Complaint. The clerk shall docket as separate documents the Amended Complaint and Amended Certificate of Interested Persons attached to Plaintiff's motion as of the date of this order. (Ordered by Judge Sam A Lindsay on 7/2/2018) (chmb) (Entered: 07/02/2018)
07/02/2018	<u>20</u>	AMENDED COMPLAINT WITH JURY DEMAND against Tim Shepherd MD PA filed by Equal Employment Opportunity Commision. Unless exempted, attorneys who are not admitted to practice in the Northern District of Texas must seek admission promptly. Forms, instructions, and exemption information may be found at www.txnd.uscourts.gov , or by clicking here: <u>Attorney Information – Bar Membership</u> . If admission requirements are not satisfied within 21 days, the clerk will notify the presiding judge. (sss) (Entered: 07/02/2018)
07/02/2018	<u>21</u>	AMENDED CERTIFICATE OF INTERESTED PERSONS by Equal Employment Opportunity Commision. (sss) (Entered: 07/02/2018)
07/13/2018	<u>22</u>	ANSWER to <u>20</u> Amended Complaint,, filed by Tim Shepherd MD PA. Unless exempted, attorneys who are not admitted to practice in the Northern District of Texas must seek admission promptly. Forms, instructions, and exemption information may be found at www.txnd.uscourts.gov , or by clicking here: <u>Attorney Information – Bar Membership</u> . If admission requirements are not satisfied within 21 days, the clerk will notify the presiding judge. (Brandon, Thomas) (Entered: 07/13/2018)
08/29/2018	<u>23</u>	SUGGESTION OF BANKRUPTCY Upon the Record <i>Filed</i> by Tim Shepherd MD PA. (Brandon, Thomas) (Entered: 08/29/2018)
08/30/2018	<u>24</u>	*** VACATED PER <u>30</u> ORDER *** ORDER: The court determines that this case should be, and is hereby, administratively closed. The parties are directed to report to the court in writing every 120 days regarding the status of the bankruptcy proceedings. (Ordered by Judge Sam A Lindsay on 8/30/2018) (epm) Modified on 10/11/2018 (zkc). (Entered: 08/30/2018)
08/30/2018	<u>25</u>	MOTION to Substitute Attorney, <i>Gerrit M. Pronske in place of</i> added attorney Thomas S Brandon, Jr. Motion filed by Tim Shepherd MD PA (Brandon, Thomas) (Entered: 08/30/2018)

08/30/2018	<u>26</u>	MOTION to Reopen Case filed by Equal Employment Opportunity Commission with Brief/Memorandum in Support. (Attachments: # <u>1</u> Exhibit(s) A) (Kuelbs, Meaghan) (Entered: 08/30/2018)
08/31/2018	<u>27</u>	ELECTRONIC ORDER granting <u>25</u> Motion to Substitute Attorney. Accordingly, Mr. Thomas S. Brandon, Jr., Ms. Rebecca K. Eaton, and the law firm of Whitaker Chalk Swindle & Schwartz PLLC are withdrawn as counsel for Defendant and they are relieved of any further obligation to or representation of Defendant in this case. Mr. Gerrit M. Pronske and the law firm of Pronske, Goolsby & Kathman, P.C. are substituted in as counsel for Defendant. (Ordered by Judge Sam A Lindsay on 8/31/2018) (chmb) (Entered: 08/31/2018)
09/20/2018	<u>28</u>	RESPONSE filed by Tim Shepherd MD PA re: <u>26</u> MOTION to Reopen Case (Goolsby, Melanie) (Entered: 09/20/2018)
09/24/2018	<u>29</u>	REPLY filed by Equal Employment Opportunity Commission re: <u>26</u> MOTION to Reopen Case (Kuelbs, Meaghan) (Entered: 09/24/2018)
10/11/2018	<u>30</u>	MEMORANDUM OPINION AND ORDER granting <u>26</u> Motion to Reopen the Case Following Administrative Closure. The court vacates its order administratively closing this case (Doc. <u>24</u>) and reopens this action for further proceedings consistent with the scheduling order previously entered by the court. (Ordered by Judge Sam A Lindsay on 10/11/2018) (zkc) (Main Document 30 replaced on 10/15/2018) (twd). (Entered: 10/11/2018)
12/26/2018	<u>31</u>	Unopposed MOTION to Stay <i>with Request for Expedited Ruling</i> filed by Equal Employment Opportunity Commission with Brief/Memorandum in Support. (Kuelbs, Meaghan) (Entered: 12/26/2018)
12/28/2018	<u>32</u>	ORDER granting <u>31</u> Unopposed MOTION to Stay with Request for Expedited Ruling. This action is stayed until further notice. The Equal Employment Opportunity Commission is directed to notify the court as soon as Congress has appropriated funds for it, and the stay will be lifted at that time. All current deadlines for the parties stayed by this order will be extended commensurate with the duration of the lapse in appropriations for the EEOC. (Ordered by Judge Sam A Lindsay on 12/28/2018) (ykp) (Entered: 12/28/2018)
01/30/2019	<u>33</u>	NOTICE of <i>Resumption of Government Operations</i> re: <u>32</u> Order on Motion to Stay filed by Equal Employment Opportunity Commission (Kuelbs, Meaghan) (Entered: 01/30/2019)
02/08/2019	<u>34</u>	MOTION for Leave to File Second Amended Complaint filed by Equal Employment Opportunity Commission with Brief/Memorandum in Support. (Attachments: # <u>1</u> Proposed Amendment (Exhibit A), # <u>2</u> Exhibit(s) B, # <u>3</u> Exhibit(s) C) (Kuelbs, Meaghan) (Entered: 02/08/2019)
02/22/2019	<u>35</u>	OBJECTION filed by Bridges Healthcare, P.A. re: <u>34</u> MOTION for Leave to File Second Amended Complaint (Pronske, Gerrit) (Entered: 02/22/2019)
03/01/2019	<u>36</u>	OBJECTION filed by Bridges Healthcare PA re: <u>34</u> MOTION for Leave to File Second Amended Complaint (Attachments: # <u>1</u> Exhibit(s) A) (Pronske, Gerrit) (Entered: 03/01/2019)
03/05/2019	<u>37</u>	REPLY filed by Equal Employment Opportunity Commission re: <u>34</u> MOTION for Leave to File Second Amended Complaint (Kuelbs, Meaghan) (Entered: 03/05/2019)
03/26/2019	<u>38</u>	MOTION to Strike <i>Jury Demand</i> filed by Tim Shepherd MD PA (Attachments: # <u>1</u> Exhibit(s) A, # <u>2</u> Proposed Order) (Pronske, Gerrit) (Entered: 03/26/2019)
04/01/2019	<u>39</u>	Unopposed MOTION to Continue <i>and Reschedule Trial Date</i> filed by Equal Employment Opportunity Commission (Attachments: # <u>1</u> Proposed Order) (Kuelbs, Meaghan) (Entered: 04/01/2019)
04/02/2019	<u>40</u>	

		FIRST AMENDED MEDIATION ORDER: The parties are therefore directed to participate in mediation by 7/1/2019. (Ordered by Judge Sam A Lindsay on 4/2/2019) (ndt) (Entered: 04/02/2019)
04/02/2019	<u>41</u>	AMENDED SCHEDULING ORDER: This case is set for trial on this court's four-week docket beginning 12/2/2019 before Judge Sam A Lindsay. Motions due by 7/15/2019. Discovery due by 7/1/2019. Pretrial Order due by 11/4/2019., Pretrial Materials due by 11/4/2019. Pretrial Conference set for 11/27/2019 01:30 PM before Judge Sam A Lindsay. (Ordered by Judge Sam A Lindsay on 4/2/2019) (ndt) (Entered: 04/02/2019)
04/03/2019	<u>42</u>	Unopposed MOTION to Expedite <i>Ruling on Motion for Leave to File Second Amended Complaint</i> filed by Equal Employment Opportunity Commision with Brief/Memorandum in Support. (Anderson, Suzanne) (Entered: 04/03/2019)
04/04/2019	<u>43</u>	Memorandum Opinion and Order Denies without prejudice <u>34</u> Motion for Leave to File Second Amended Complaint, filed by Equal Employment Opportunity Commision, and Denies as moot <u>42</u> Motion to Expedite Ruling on Motion for Leave to File Second Amended Complaint filed by Equal Employment Opportunity Commision. (Ordered by Judge Sam A Lindsay on 4/4/2019) (svc) (Entered: 04/04/2019)
04/08/2019	<u>44</u>	MOTION for Leave to File Second Amended Complaint(<i>Renewed</i>) filed by Equal Employment Opportunity Commision with Brief/Memorandum in Support. (Attachments: # <u>1</u> Exhibit(s) A, # <u>2</u> Exhibit(s) B, # <u>3</u> Exhibit(s) C, # <u>4</u> Exhibit(s) D, # <u>5</u> Proposed Order) (Kuelbs, Meaghan) (Entered: 04/08/2019)
04/16/2019	<u>45</u>	RESPONSE filed by Equal Employment Opportunity Commision re: <u>38</u> MOTION to Strike <i>Jury Demand</i> (Kuelbs, Meaghan) (Entered: 04/16/2019)
04/29/2019	<u>46</u>	OBJECTION filed by Bridges Healthcare PA re: <u>44</u> MOTION for Leave to File Second Amended Complaint(<i>Renewed</i>) (Attachments: # <u>1</u> Exhibit(s) A) (Pronske, Gerrit) (Entered: 04/29/2019)
05/10/2019	<u>47</u>	REPLY filed by Equal Employment Opportunity Commision re: <u>44</u> MOTION for Leave to File Second Amended Complaint(<i>Renewed</i>) (Kuelbs, Meaghan) (Entered: 05/10/2019)
07/23/2019	<u>48</u>	***DISREGARD, ATTORNEY TO REFILE*** Joint MOTION to Extend Time to Mediate filed by Tim Shepherd MD PA (Attachments: # <u>1</u> Proposed Order) (Pronske, Gerrit) Modified on 7/23/2019 (mla). (Entered: 07/23/2019)
07/23/2019	<u>49</u>	Joint MOTION to Extend Time to Mediate filed by Tim Shepherd MD PA (Attachments: # <u>1</u> Proposed Order) (Pronske, Gerrit) (Entered: 07/23/2019)
08/07/2019	<u>50</u>	Alternative Dispute Resolution Summary filed by Cecilia H. Morgan. Attorneys in Attendance: Meaghan L. Kuelbs, Suzanne M. Anderson and Gerrit M. Pronske. Prv Fee: \$ \$4,990.00. Outcome of ADR: Continuing to work with parties to reach a settlement. (Morgan, Cecilia) (Entered: 08/07/2019)
09/03/2019	<u>51</u>	Special Order 3-333: Effective September 3, 2019, the cases listed on Exhibit A to this order are transferred to Judge Brantley Starr's docket and shall henceforth be designated by the suffix letter X. (The clerk has mailed a copy to all non-ECF users.) (Ordered by Chief Judge Barbara M. G. Lynn on 8/27/2019) (cea) (Entered: 09/03/2019)
09/12/2019	<u>52</u>	ELECTRONIC ORDER: The Joint Motion to Extend Time to Mediate <u>49</u> is dismissed as moot. (Ordered by Judge Brantley Starr on 9/12/2019) (chmb) Modified on 9/12/2019 (chmb). (Entered: 09/12/2019)
09/23/2019	<u>53</u>	ORDER granting <u>44</u> Motion for Leave to File. (Unless the document has already been filed, clerk to enter the document as of the date of this order.) Amended Pleadings due by 9/30/2019. (Ordered by Judge Brantley Starr on 9/23/2019) (aaa) (Entered: 09/23/2019)

09/23/2019	<u>54</u>	ORDER denying <u>38</u> Motion to Strike Jury Demand of Equal Employment Opportunity Commission. (Ordered by Judge Brantley Starr on 9/23/2019) (aaa) (Entered: 09/23/2019)
09/23/2019	<u>55</u>	SECOND AMENDED COMPLAINT WITH JURY DEMAND against Tim Shepherd MD PA filed by Equal Employment Opportunity Commission. Unless exempted, attorneys who are not admitted to practice in the Northern District of Texas must seek admission promptly. Forms, instructions, and exemption information may be found at www.txnd.uscourts.gov , or by clicking here: Attorney Information – Bar Membership . If admission requirements are not satisfied within 21 days, the clerk will notify the presiding judge. (ndt) (Entered: 09/24/2019)
10/01/2019	<u>56</u>	ADDITIONAL ATTACHMENTS to <u>55</u> Amended Complaint,, by Plaintiff Equal Employment Opportunity Commission. (Kuelbs, Meaghan) (Entered: 10/01/2019)
10/01/2019	<u>57</u>	CERTIFICATE OF INTERESTED PERSONS/DISCLOSURE STATEMENT by Equal Employment Opportunity Commission. (Kuelbs, Meaghan) (Entered: 10/01/2019)
10/01/2019	<u>58</u>	Request for Clerk to issue Summons filed by Equal Employment Opportunity Commission. (Kuelbs, Meaghan) (Entered: 10/01/2019)
10/02/2019	<u>59</u>	Summons Issued as to Bridges Healthcare PA. (ykp) (Entered: 10/02/2019)
10/03/2019	<u>60</u>	*** UNFILED PER <u>61</u> ORDER *** Joint MOTION to Continue <i>Pre–Trial and Trial Dates</i> filed by Equal Employment Opportunity Commission with Brief/Memorandum in Support. (Kuelbs, Meaghan) Modified on 10/4/2019 (axm). (Entered: 10/03/2019)
10/04/2019	<u>61</u>	Order Unfiling <u>60</u> Joint MOTION to Continue <i>Pre–Trial and Trial Dates</i> due to the following deficiency: The motion or response must include: a proposed order. See LR 7.1(c) or LCRr 47.1(c). A motion for continuance of a trial setting must be signed by the party as well as by the attorney of record. See LR 40.1. (Ordered by Judge Brantley Starr on 10/4/2019) (axm) (Entered: 10/04/2019)
10/07/2019	<u>62</u>	Joint MOTION to Continue <i>Pre–Trial and Trial Dates</i> filed by Equal Employment Opportunity Commission with Brief/Memorandum in Support. (Attachments: # <u>1</u> Proposed Order) (Kuelbs, Meaghan) (Entered: 10/07/2019)
10/07/2019	<u>63</u>	ANSWER to <u>55</u> Amended Complaint, filed by Tim Shepherd MD PA. Unless exempted, attorneys who are not admitted to practice in the Northern District of Texas must seek admission promptly. Forms, instructions, and exemption information may be found at www.txnd.uscourts.gov , or by clicking here: Attorney Information – Bar Membership . If admission requirements are not satisfied within 21 days, the clerk will notify the presiding judge. (Pronske, Gerrit) (Entered: 10/07/2019)
10/15/2019	<u>64</u>	SUMMONS Returned Executed as to Equal Employment Opportunity Commission ; served on 10/10/2019. (Kuelbs, Meaghan) (Entered: 10/15/2019)
10/15/2019	<u>65</u>	SECOND AMENDED SCHEDULING ORDER: The jury trial is scheduled on this Court's two–week docket beginning 4/6/2020 at 10:00 AM. before Judge Brantley Starr. Discovery due by 12/2/2019. Pretrial Conference set for 3/30/2020 10:00 AM before Judge Brantley Starr. Motions due by 1/6/2020. Pretrial Order due by 3/23/2020. Pretrial Materials due by 3/23/2020. (Ordered by Judge Brantley Starr on 10/15/2019) (ndt) (Entered: 10/15/2019)
10/28/2019	<u>66</u>	ANSWER to <u>55</u> Amended Complaint, filed by Bridges Healthcare PA. Unless exempted, attorneys who are not admitted to practice in the Northern District of Texas must seek admission promptly. Forms, instructions, and exemption information may be found at www.txnd.uscourts.gov , or by clicking here: Attorney Information – Bar Membership . If admission requirements are not satisfied within 21 days, the clerk will notify the presiding judge. (Pronske, Gerrit) (Entered: 10/28/2019)
01/03/2020	<u>67</u>	ORDER: For these reasons, barring any objections, the Court TRANSFERS this case to the Sherman Division of the U.S. District Court for the Eastern District of Texas. The Court GRANTS LEAVE to the parties to file briefing providing their objections, if any, by Friday, January 17,

2020. (Ordered by Judge Brantley Starr on 1/3/2020) (ndt) (Entered: 01/03/2020)